

TULARE COUNTY SUPERIOR COURT



REQUEST FOR PROPOSAL FOR SMALL CLAIMS ADVISORY SERVICES

March 15, 2002

1. PURPOSE

The Tulare County Superior Court (hereinafter referred to as Court) is accepting proposals for the retention of an attorney to provide small claims advisory services. The purpose of this Request for Proposal (RFP) is to provide the Court with information needed to select the most qualified, efficient and cost effective provider of such advisory services.

2. START-WORK DATE AND CONTRACT PERIOD

The selected attorney will be awarded a contract for a one-year period, which will commence on July 1, 2002 and shall end on June 30, 2003, with an option, by mutual agreement of the Court and the selected attorney, to renew for an additional one year period.

3. CALANDER OF EVENTS

Listed below are specific dates of action related to this RFP. In the event the Court finds it necessary to change any of the specific dates and/or times in the calendar of events listed below, it will do so by issuing a supplement to this RFP.

<u>Date</u>	<u>Event</u>
March 15, 2002	Issue date of the RFP
May 1, 2002 at 3:30pm	Bidder's Conference
May 16, 2002 at 4:00pm	Deadline for Proposal Submission
May 16, 2002 at 4:00pm	Public Opening of Proposal Packages
May 31, 2002	Evaluation Completed and Respondents Notified
July 1, 2002	Contract Start Date

4. BACKGROUND

Section 116.260 of the Code of Civil Procedure requires that in each county, individual assistance be made available to advise small claims litigants and potential litigants without charge and allows each county to determine the characteristics of the delivery service in accordance with local needs and conditions.

5. SERVICES TO BE PERFORMED

The selected attorney shall, in a professional manner, perform the following services for the Court:

- A. Attorney will advise individual small claims litigants and potential litigants concerning small claims court rules and procedures and assist with the evaluation, preparation, and presentation of the legal and factual aspects of the individual's case. (CCP 116.940)
 - ▶ Advisory services shall be provided in person or by telephone, and by any other means reasonably calculated to provide timely and appropriate assistance.
 - ▶ Recorded telephone messages may be used to supplement the individual personal advisory services, but shall not be the sole means of providing advice.
- B. Attorney shall be able to perform the above duties above in both Spanish and English.
- C. Attorney will meet with personnel of the small claims divisions of the Court upon the request of such personnel to discuss any problems arising in connection with the advisory service, but the attorney shall otherwise operate the advisory service independently of court control.
- D. Attorney shall not appear in any small claims court in Tulare County as an advocate for any party.
- E. Attorney shall advise only the first party to a particular dispute who communicates with him unless the parties agree in writing that he may advise all of them. If such consent is not obtained, the attorney shall refer the second party to another small claims advisor or a volunteer attorney, law student, paralegal, or mediator experienced in small claims procedure. Such volunteers shall be on a list approved by the Court and on file with the Court.
- F. Attorney shall maintain a daily log of the number of advisory telephone calls made and received and approximate time devoted to such calls under the contract. On or before the fifth working day of each month, the attorney shall submit to the Court a summary of the number of calls and time spent giving advisory assistance during the preceding month.

6. STATISTICAL INFORMATION

	PHONE CALLS PER MONTH	TIME SPENT	SMALL CLAIMS CASES FILED
Dec-01	225	56.25	unavailable
Nov-01	227	56.75	unavailable
Oct-01	266	66.25	unavailable
Sep-01	235	58.75	205
Aug-01	321	83.50	230
Jul-01	275	68.50	178
TOTAL	1,549	390.00	613
Jun-01	248	62.00	188
May-01	284	76.75	221
Apr-01	337	84.25	246
Mar-01	319	79.75	196
Feb-01	219	54.75	190
Jan-01	287	71.75	268
Dec-00	187	46.75	223
Nov-00	217	54.25	247
Oct-00	252	63.00	285
Sep-00	234	58.50	200
Aug-00	276	69.00	235
Jul-00	247	61.75	221
TOTAL	3,107	782.50	2,720

9. BIDDERS CONFERENCE

The Court will convene a bidders conference on May 1, 2002 at 3:30 pm at the Visalia Courthouse, 221 South Mooney Boulevard, Visalia. (Refer to **Attachment D** for a map.) The purpose of the bidders conference is to clarify any questions that bidders may have regarding the RFP. The Court will put any clarification of the RFP requirements resulting from the bidder's conference, in writing. Anyone not attending the bidder's conference is responsible for obtaining the written clarifications from the Court. All bidders are urged to attend the bidder's conference. Staff may not be available to answer questions or provide facility tours after the bidder's conference.

Bids offered will be considered firm; no additional compensation will be permitted for vendors whose insufficient awareness of the work site resulted in inadequate bids. Costs incurred in the preparation of bids/proposals are to be born by the vendor, and the Court will not contribute in any way to the costs of preparation.

7. SUBMISSION OF PROPOSALS

The Court must receive an original and four copies of the proposal no later than 4:00 P.M. on March 16, 2002. Proposals should be submitted to:

Superior Court of California, County of Tulare
Attention: Denise Williams
County Civic Center, Room 303
Visalia, CA 93291

Late proposals will not be accepted or considered. The Court will not be responsible for proposals delivered to a person or location other than that specified in this RFP. All proposals shall be submitted in a sealed envelope, clearly marked with the title of the proposal and signed by the bidder. No faxes will be accepted.

All responses to this RFP become the property of the Superior Court of California, County of Tulare. The Court will direct that all responses be held confidential from parties other than the Court until the selection of the successful bidder. The Court will not be held accountable if parties other than the Court obtain material from responses, without the written consent of the bidder. After the final award has been made, all proposals shall be made available for public inspection.

8. PROPOSAL REQUIREMENTS

In an effort to ensure the most efficient and economical service, the Court utilizes the Request for Proposal (RFP) process to procure Small Claims Advisory Services. This process bases the contract award on the Court's evaluation of work history, technical experience, ability, resources and other pertinent factors of the Proposer in conjunction with the total cost estimate. In order for vendors to be considered, vendor bids/proposals must include each of the following requirements:

1. A cover letter to introduce the bidder and briefly summarize the proposal.
2. A comprehensive table of contents of material included in the proposal. This index must include a clear definition of the material and be identified by sequential page numbers.
3. A detailed description of the bidder including background, experience, size and resources, and a concise statement of the bidder's qualifications for performing the requested services. (Qualifications must comply with Rule 1725 of the California Rules of Court. Refer to **Attachment A**.)
4. A detailed description of the plan for providing the scope of work and services requested by this RFP. This should include a provision for the handling of conflict of interest calls.
5. A proposed monthly charge for the scope of work and services requested by this RFP.
6. An original signed *W-9 Request for Taxpayer Identification Form*. (Refer to **Attachment C** for a copy of this form.)

8. ACCEPTANCE CONDITIONS

By submitting a proposal, the bidder affirms that he/she accepts the following conditions, any of which may be included in the contract to be entered into between the Court and the bidder:

1. The Contractor(s) selected shall be required to comply with all applicable State and Federal laws pertaining to contracts entered into by Government Agencies, including non-discriminatory employment policies.
2. The Contractor(s) selected shall be required to provide proof of compliance with California Labor Code §3700 relating to worker's compensation benefits and policies of insurance. (Refer to **Attachment B**.)
3. The Court may require whatever supporting documentation it deems necessary relative to the bidder's financial ability to complete the contract.
4. The Court reserves the right to ask for any further information from the bidder either in writing or orally.
5. The Court may cancel this project without any cost or obligation at any time up until the award of the contract. In the event agreement cannot be reached with the selected bidder, the Court reserves the right to select an alternative bidder.
6. The Court reserves the right to award a contract to the bidder that presents the proposal, which in the sole judgment of the Court, best accomplishes the desired results. The Court reserves the right to reject any or all proposals, to waive minor irregularities, or to negotiate minor deviations with the successful bidder. The Court also reserves the right not to select the lowest bidder.

10. LIST OF ATTACHMENTS

Attachment A - California Rules of Court, Rule 1725

Attachment B - Labor Code Section 3700

Attachment C - W-9 Request for Taxpayer Identification Form

Attachment D - Map to Visalia Courthouse

THANK YOU FOR YOUR INTEREST IN THIS PROJECT.

2002 California Rules of Court

Rule 1725. Advisor assistance

(a) [Notice to parties] The clerk shall inform the parties orally or in writing

(1) that an advisor is available to assist small claims litigants at no additional charge as provided in Code of Civil Procedure sections 116.260 and 116.940, and

(2) of the provisions of Government Code section 818.9.

(Subd (a) amended effective July 1, 1991; adopted effective January 1, 1986.)

(b) [Training] All small claims advisors shall receive training sufficient to ensure competence in the areas of small claims court practice and procedure; alternative dispute resolution programs; consumer sales; vehicular sales, leasing, and repairs; credit and financing transactions; professional and occupational licensing; landlord-tenant law; contract, warranty, tort, and negotiable instruments law. It is the intent of this rule that the county shall provide this training.

(Subd (b) repealed and adopted effective July 1, 1991; previously adopted effective January 1, 1986.)

(c) [Qualifications] In addition to the training required in subdivision (b), each county may establish additional qualifications for small claims advisors.

(Subd (c) adopted effective July 1, 1991.)

(d) [Conflict of interest] A small claims advisor shall disclose any known direct or indirect relationship the advisor may have with any party or witness in the action. An advisor shall not disclose information obtained in the course of the advisor's duties or use the information for financial or other advantage.

(Subd (d) relettered effective July 1, 1991; adopted effective January 1, 1986, as subd (c).)

Rule 1725 amended effective July 1, 1991; adopted effective January 1, 1986.

Former Rules

Former rule 1725, relating to the pilot project, was adopted effective May 1, 1980, and repealed effective July 1, 1983.

Former rule 1725, similar to the repealed rule, was adopted effective January 1, 1978, and repealed effective May 1, 1980.

Prior to approval of this Agreement by COURT, CONTRACTOR shall file with the Court Executive Officer, evidence of its compliance with the requirements of Labor Code Section 3700 relating to worker's compensation benefits and policies of insurance, or certificates thereof, issued by companies licensed to transact business in the State of California providing comprehensive liability insurance with combined single limit of liability coverage of at least ONE MILLION DOLLARS (\$1,000,000.00) per single occurrence, comprehensive automobile liability insurance coverage with combined single limit of not less than ONE MILLION DOLLARS (\$1,000,000.00), and a policy of professional liability insurance, or certificates, with primary and/or excess limits of at least ONE MILLION DOLLARS (\$1,000,000.00) per occurrence. The insurance coverage shall insure against errors and omissions of the CONTRACTOR covering all of its activities under this Agreement and any extension thereof. Such policies shall name the Superior Court of California, County of Tulare, its judicial officers, officers, agents, and employees as additional insured. The insurance coverage shall be issued at the expense of and maintained by the CONTRACTOR during the entire term of this Agreement and any extension thereof. Said policy shall provide that insurance carrier notify COURT of any cancellation or material change in coverage within ten (10) days prior to effective date.

If, by mutual agreement between the COURT and the CONTRACTOR, one or more of the above types of insurance is not necessary, than CONTRACTOR will not be required to furnish such coverage.

W-9 Request for Taxpayer Identification Form



W-9.pdf



To view/print the above form:

1. Double-click the PDF icon above. Acrobat Reader will launch and display the *W-9 Request for Taxpayer Identification Form*.

Note: Documents provided in PDF (Portable Document Format) require the free Adobe Acrobat Reader software. Click the *Get Acrobat Reader* button to download and install the Reader to integrate with your web browser.

2. Click the Print button.

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Map to Visalia Courthouse:

